

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below, next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TACKING FASTENER

the specification of which

XXX is attached hereto.
 was filed on _____ as
 Application Serial No. _____
 and was amended on _____
 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> | <u>Priority Claimed</u> | | |
|-------------------------------------|-------------------------|------------------------|-------------|
| (Number) | (Country) | (Day/Month/Year Filed) | Yes No |
| _____ | _____ | _____ | Yes No |
| _____ | _____ | _____ | Yes No |
| _____ | _____ | _____ | Yes No |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which

occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------|--|
| (Application Serial No.) | (Filing Date) | (Status -- patented, pending, abandoned) |
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| (Application Serial No.) | (Filing Date) | (Status -- patented, pending, abandoned) |

I hereby appoint BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, a firm including:
Aloysius T.C. AuYeung, Reg. No. 35,432; William Thomas Babbitt, Reg. No. P39,591;
Bradley J. Bereznak, Reg. No. 33,474; Michael A. Bernadicou, Reg. No. 35,934;
Roger W. Blakely, Jr., Reg. No. 25,831; Thomas M. Coester, Reg. No. P39,637;
William D. Davis, Reg. No. 38,428; Daniel M. De Vos, Reg. No. 37,813;
Karen L. Feisthamel, Reg. No. P40,264; Scot A. Griffin, Reg. No. 38,167;
David R. Halvorson, Reg. No. 33,395; Brian D. Hickman, Reg. No. 35,894;
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Stephen L. King, Reg. No. 19,180; Daniel C. Mallery, Reg. No. 33,532; Michael J. Mallie,
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Reg. No. 20,340; James H. Salter, Reg. No. 35,668; William W. Schaal,
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Edwin H. Taylor, Reg. No. 25,129; Lester J. Vincent, Reg. No. 31,460;
John Patrick Ward, Reg. No. P40,216; Ben J. Yorks, Reg. No. 33,609; and
Norman Zafman, Reg. No. 26,250; my attorneys; and Roland B. Cortes, Reg. No. 39,152;
Gary B. Goates, Reg. No. 35,159; Ararat Kapouytian, Reg. No. P40,044; Thomas X. Li,
Reg. No. 37,079; and Edwin A. Sloane, Reg. No. 34,728; my patent agents, with offices
located at 12400 Wilshire Boulevard, 7th Floor, Los Angeles, California 90025, telephone
(310) 207-3800, with full power of substitution and revocation, to prosecute this application and
to transact all business in the Patent and Trademark Office connected herewith.

I hereby declare that all statements made herein of my own knowledge are true and that all
statements made on information and belief are believed to be true; and further that these statements
were made with the knowledge that willful false statements and the like so made are punishable by
fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that
such willful false statements may jeopardize the validity of the application or any patent issued
thereon.

1-00 Full Name of Sole/First Inventor Ralph Luhm

Inventor's Signature Ralph Luhm Date Jan 8, 1994

Residence La Habra, California Citizenship U.S.A. (Country) CA

Post Office Address 514 Green View Road
La Habra, California 90631



Attorney's Docket No.: 003471.P010

Applicant or Patentee: Ralph Luhm

Serial or Patent No.: _____

Filed or Issued: _____

For: TACKING FASTENER

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(F) AND 1.27(C) - SMALL BUSINESS CONCERN**

I hereby declare that I am:

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ALLFAST FASTENING SYSTEMS, INC.
ADDRESS OF CONCERN: 15200 EAST DON JULIAN ROAD
CITY OF INDUSTRY, CA 91745

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: _____

TACKING FASTENER

by inventor(s): Ralph Luhm

described in:

- the specification filed herewith
 application serial no. _____, filed _____
 patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below*, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non-profit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____
ADDRESS: _____

Individual Small Business Concern Non Profit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)].

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: JAMES H. RANDALL

TITLE OF PERSON OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: 15200 East Don Julian Road, City of Industry, CA 91745

SIGNATURE: James H. Randall DATE: 1/8/96